

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No. 3007
)	
Susanna Abrahmsen ALAMI <i>et al.</i>)	Group Art Unit: 1615
)	
Application No. 10/516,423)	Examiner: Hasan Syed Ahmed
)	
Filed: July 25, 2005)	
)	
For: Immediate Release Pharmaceutical)	
Formulation)	<u>Date: April 8, 2009</u>

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action dated October 24, 2008, the time for responding to which has been extended to April 24, 2009 by payment of a five-month extension of time, Applicants elect without traverse the invention of Group I as described on page 2 of the Office Action – *i.e.*, claims 1-3, 5 and 8, drawn to an immediate release pharmaceutical formulation comprising as an active ingredient a compound of formula (I). Claims 1-9 encompass the elected invention.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **April 8, 2009**
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Respectfully submitted,
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